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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE**

UNITED STATES OF AMERICA for the use of NORTH STAR
TERMINAL & STEVEDORE COMPANY, d/b/a NORTHERN
STEVEDORING & HANDLING, and NORTH STAR TERMINAL &
STEVEDORE COMPANY, d/b/a NORTHERN STEVEDORING &
HANDLING, on its own behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of SHORESIDE
PETROLEUM, INC., d/b/a MARATHON FUEL SERVICE, and
SHORESIDE PETROLEUM, INC., d/b/a MARATHON FUEL
SERVICE, on its own behalf,

Intervening Plaintiffs,

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER ROCK
PRODUCTS, INC.; UNITED STATES FIDELITY AND GUARANTY
COMPANY; and ROBERT A. LAPORE,

Defendants.

No. 3:98-cv-9 (TMB)

**MEMORANDUM IN SUPPORT OF OPPOSITION TO NORTH STAR'S MOTION TO
STRIKE PORTION OF USF&G'S JUNE 2, 2006 REPLY TO PLAINTIFFS' OPPOSITIONS
TO USF&G'S MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF'S BAD FAITH
CLAIMS AND MOTION TO STRIKE NORTH STAR'S MOTION TO STRIKE**

Once again Plaintiff, North Star, chooses to disregard the Rules and submit a Response to a Reply. Plaintiff's arguments should be stricken as submitted in pleadings not allowed by the Rules. Specifically, Plaintiff's argument related to Hillman, and Plaintiff's arguments regarding "fiduciary relationship".

Plaintiff is correct that USF&G quoted Mr. Bentz and not Mr. Callow. However, this was an inadvertent mistake and is not grounds to strike any portion of USF&G's Reply pleading.

Dated this 15th day of June, 2006.

/s Herbert A. Viergutz

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this document was served by electronic notification on this 15th day of June, 2006, to:

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